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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

**OLLEN G. COLBERT, Jr.,**

Plaintiff,

vs.

**CINERGY AND THE CINCINNATI GAS  
AND ELECTRIC COMPANY, *et al.*,**

Defendants.

Case No.: 1:00-cv-00909

Judge Sandra Beckwith  
Magistrate Judge Timothy Hogan

**NOTICE OF FILING CORRECTED  
AFFIDAVIT OF DUDLEY QUARLES  
FILED ORIGINALLY IN DOCUMENTS  
103 AND 104**

Now comes Plaintiff, Ollen G. Colbert, Jr., by and through Counsel, to respectfully give Notice of the filing of a corrected Affidavit of Dudley Quarles, as to his signature that was inadvertently omitted in the original filing.

Dated this 2<sup>nd</sup> day of May, 2005

Respectfully submitted,

/s/Rose Ann Fleming

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the above was served by facsimile transmission, email and overnight express U.S. mail on the following this 2<sup>nd</sup> day of May, 2005:

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And on  
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